



Entered on Docket
November 13, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,
Debtor.

JOINTLY ADMINISTERED
Chapter 11 Cases

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

Judge Linda B. Riegle

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**ORDER GRANTING EX PARTE
JOINT MOTION TO FILE
PROPOSED SETTLEMENT
AGREEMENT UNDER SEAL**

Hearing Date: N/A
Hearing Time: N/A

Upon consideration of the Ex Parte Joint Motion to File Proposed Settlement Agreement Under Seal (the "Motion"), filed by the USACM Liquidating Trust (the "USACM Trust"), USA Capital Diversified Trust Deed Fund, LLC ("DTDF"), Mary Petersen, individually and as Trustee of the Mary Petersen Family Trust DTD 8/12/98 ("Mary Petersen"), Michael Petersen, individually and as Trustee of the Michael D. Petersen Family Trust DTD 8/12/98 ("Michael

1 Petersen”), Kathryn L. Petersen, individually and as Trustee of the Kathryn L. Petersen Living
2 Trust and as Trustee of the KLP Trust DTD 7/15/99 (“Kathryn Petersen”), Specialized
3 Development Tahoe, LLC, and Specialized Development, LLC (collectively, with Specialized
4 Development Tahoe, LLC, “Specialized Development”), the Court finds good cause exists to
5 grant the Motion. Accordingly, it is hereby:

6 ORDERED that the Motion is GRANTED; and it is further

7 ORDERED that the Proposed Settlement Agreement, as described in the Motion, may be
8 filed under seal in connection with the Motion for Approval of Settlement Pursuant to Rule 9019
9 of the Federal Rules of Bankruptcy Procedure (the “Rule 9019 Motion”); and it is further

10 ORDERED that a copy of the Proposed Settlement Agreement shall be provided to any
11 party-in-interest that executes the confidentiality agreement attached to the Rule 9019 Motion and
12 returns an executed copy of that agreement to both of the following counsel:

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19 Counsel for the USACM Liquidating Trust and
20 USA Capital Diversified Trust Deed Fund, LLC

21 -and-

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Counsel for Mary Petersen, Michael Petersen,
Kathryn Petersen, and Specialized Development

1 PREPARED AND SUBMITTED BY:

2 DIAMOND MCCARTHY LLP

3 By: /s/ Eric D. Madden

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